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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 BALJINDER SINGH BHATTI,

14 Defendant.

CASE NO. CR03-0301JLR

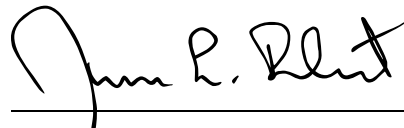
ORDER DIRECTING THE
PARTIES TO FILE ADDITIONAL
BRIEFING

15 Before the court is Defendant Baljinder Singh Bhatti's motion to schedule a
16 sentencing hearing to be conducted via telephonic or video conference. (*See* Mot. (Dkt.
17 # 127).) In his motion, Mr. Bhatti indicates that he intends to request a treaty transfer to
18 Canada "as soon as he is able to do so, so that he can serve the balance of his sentence in
19 Canada and be closer to his family." (*Id.* at 2.) Mr. Bhatti seeks to schedule his
20 sentencing hearing because he "cannot apply for a treaty transfer until he is sentenced and
21 a final judgment is entered." (*Id.*; *see also id.* Ex. 1 at 2.) Plaintiff United States of
22 America ("the Government") opposes Mr. Bhatti's motion, arguing that a defendant is

1 generally required to be physically present at a sentencing and a brief delay in applying
2 for a treaty transfer is not a “serious harm to the interests of justice.” (*See* Resp. (Dkt.
3 # 128) at 5-8.)

4 The court seeks additional guidance on the following issues: May the court either
5 (1) condition the granting of Mr. Bhatti’s present motion on the timing of his treaty
6 transfer application; or (2) impose limits on the timing of his treaty transfer application as
7 one of the conditions of his sentence. The parties shall file their supplemental briefs in
8 this matter within 14 days of the filing date of this order and limit their briefs to no more
9 than 10 pages.

10 Dated this 22nd day of April, 2020.

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13 JAMES L. ROBART
14 United States District Judge
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